

From the:
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

		Date of mailing (day/month/year) 5 OCT 2004
Applicant's or agent's file reference 1138P04PCTj		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/SG2004/000255	International filing date (day/month/year) 23 August 2004	Priority date (day/month/year) 23 October 2003
International Patent Classification (IPC) or both national classification and IPC Int. Cl. 7 G06F 13/30, H04M 1/66		
Applicant NANYANG POLYTECHNIC et al		

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer MAKI MARYANOVICH Telephone No. (02) 6283 2798
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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/SG2004/000255

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material
 - in written format
 - in computer readable form
 - c. time of filing/furnishing
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
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International application No.

PCT/SG2004/000255

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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1. Statement

Novelty (N)	Claims 1-8, 10-12, 14	YES
	Claims 9, 13	NO
Inventive step (IS)	Claims 2-7, 14	YES
	Claims 1, 8-13	NO
Industrial applicability (IA)	Claims 1-14	YES
	Claims	NO

Citations and explanations:

NOVELTY (N) Claim 9, 13:

(a) WO 2003/083601 A2

Citation (a) discloses all the features of the claims 9 and 13 (see abstract, page 5, lines 15-27).

The features of remaining claims are not found in any single document published before the earliest priority date of the claims.

INVENTIVE STEP (IS) Claims 1, 8-13:

Claims 9, 13: as above.

(b) US 2003/0045270 A1

Citation (a) does not disclose features of the remaining claims, but when combined with citation (b), they disclose all the features of the following claims.

Claims 1, 8: Citations (a) does not disclose features of mapping a geographical area covered by the wireless computer network into at least one island and measuring at least one network performance parameter for each island to obtain a spatial performance model. But when combined with citation (b), as would be obvious to a person skilled in the art, they disclose all the features of the claims. In citation (b) for mapping a geographical area into *at least one island* see para [0014] (ie "GLM may receive and store information pertaining to the *geographical location* of active or registered terminals"). Also for measuring at least *one network performance parameter* for each island in citation (b) see para [0016] (ie "may monitor the location and registration patterns of terminal 4 by retrieving the exact location of terminal 4 as well as probability distribution of location of terminal 4 from GLM 3 upon receiving a *registration request from terminal 4*").

Continuation in the Supplemental Box....

**WRITTEN OPINION OF THE
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International Application No.

PCT/SG2004/000255

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of Box No V:

Claim 10: The feature of "wireless access points" can be found in citation (b), para [0002] "the wireless service provider".

Claim 11, 12: The feature of "at least one storage means comprising storage of network parameter values" is disclosed in citation (b), para [0003] "a detailed record of access to the wireless network services by her terminal or UIM".

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International application No.

PCT/SG2004/000255

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claim 9 lacks clarity in that it includes reference to "the algorithm of the present invention" and "without having the computer network's user having to be ..." when there is no earlier establishment of these features.